

Message Text

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DRAFTED BY L/ARA:DAGANTZ

APPROVED BY P:JJSISCO

ARA:HWSHLAUDEMAN

L/HR:CRUNYON

IO:ROBLAKE

S/S:WHLUERS

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TO AMEMBASSY SANTIAGO NIACT IMMEDIATE

C O N F I D E N T I A L STATE 023898

EXDIS

E.O. 11652: N/A

TAGS: CI, PINS

SUBJECT: CHILE - HUMAN RIGHTS AND PROCEDURAL SAFEGUARDS

REF: A. SANTIAGO 658

1. DEPT SHARES AMBASSADOR'S VIEW THAT YOUR APPOINTMENT WITH GENERAL BENAVIDES (REF A) OFFERS SIGNIFICANT OPPORTUNITY FOR YOU TO COMMUNICATE TO HIM, IN YOUR USUAL EFFECTIVE, TACTFUL MANNER, SIGNIFICANCE OF PROCEDURAL SAFEGAURDS AND USE OF NORMAL LEGAL PROCESSES TO FOREIGN OBSERVERS OF CHILEAN SITUATION. SUCH ACTIONS AS RESTORING THE RULE OF LAW (I.E., CIVIL COURTS) AND BASIC HUMAN RIGHTS PROTECTION SUCH AS RESTORATION OF AMPARO, PROMPT CHARGE OR RELEASE OF PRISONERS, PUBLIC TRIALS, PROPER APPEALS, ETC. WE HOPE YOU CAN HELP BENAVIDES TO UNDERSTAND THAT THE SPECIAL RELEASE ALONE, WHILE EXTREMELY IMPORTANT, WELCOME AND VERY CONSTRUCTIVE, WILL PROBABLY NOT SUFFICIENTLY RESTORE GOC'S INTERNATIONAL CREDIBILITY UNLESS THEY ARE ACCOMPANIED BY SUBSTANTIAL PROGRESS IN THESE OTHER AREAS.

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2. WHILE WE REALIZE THE SENSITIVITY OF GOC TO INTER-AMERICAN HUMAN RIGHTS COMMISSION REPORT, YOU MAY NEVERTHELESS WISH TO SUGGEST TO BENAVIDES THAT CHILE'S POSITION AND ITS CHANCES OF SUPPORT FROM MODERATES WOULD BE MUCH IMPROVED IF GOC WERE TO INVITE IAHRC BACK TO CHILE AND/OR TAKE STEPS TO DEAL WITH THE SUBSTANTIVE CRITICISMS MADE IN THE REPORT (ESSENTIALLY THOSE NOTED ABOVE, PLUS TORTURE). BENAVIDES IS PROBABLY AWARE THAT THERE IS NO CHANCE OF ANOTHER IAHRC VISIT BEFORE SUMMER, BUT WE FEEL THAT AN EARLY INVITATION WOULD HELP CHILE IN CONNECTION WITH UN HUMAN RIGHTS COMMISSION AND PROBABLE OAS GENERAL ASSEMBLY CONSIDERATION OF THE SITUATION IN CHILE.

3. YOU WILL WISH TO MAKE THESE POINTS IN A LOW KEY AND WITH EMPHASIS ON OUR DESIRE TO BE HELPFUL. THE TWO GOVERNMENTS SHARE AN INTEREST IN A MORE FAVORABLE INTERNATIONAL ATMOSPHERE WITH RESPECT TO CHILE -- AN ATMOSPHERE THAT WILL PERMIT THE USG TO BE OF MORE EFFECTIVE ASSISTANCE TO THE GOC. KISSINGER

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